

Thursday, 2 January 2020

Reg No.: 18/0585a

TO: The Secretary

Dear Sir/Madam,

Application for approval of a controlled activity pursuant to s.183 Airports Act
- Referral to the Secretary under Reg 11(2) of the *Airports (Protection of Airspace) Regulations 1996*

Proposed Activity: PROPERTY DEVELOPMENT
Location: 19A EVANS AVENUE, EASTLAKES
Proponent: NSW PLANNING & ENVIRONMENT

Sydney Airport has received the **attached** amended application for approval by the Secretary.

The controlled activity is as set out in **Schedule 1**.

Sydney Airport is required to invite submissions from CASA & Airservices as well as the Airlines within 7 days of receiving the application. Sydney Airport therefore sought submissions regarding the proposed activity from those entities. Their submissions (if received) are set out in **Schedule 2**.

Where submissions have not been received from any one of the prescribed entities, this has been stated in Schedule 2. You may of course wish to contact such entities, the Proponent or Sydney Airport for further information under Regulation 15(1). In that case the time for giving notice of your decision is extended to 28 days from when you receive such information. Sydney Airport requests that you advise it of any such requests for information.

Sydney Airport's comments on the application are set out in **Schedule 3**.

We look forward to your notice of determination of the application and reasons for your decision having regard to the matters set out in Regulation 13 and the effect that the controlled activity, if carried out, would have on the efficiency or regularity of existing or future air transport operations into or out of Sydney Airport.

Yours Sincerely



Peter Bleasdale
Airfield Design Manager

SCHEDULE 1

DETAILS OF APPLICATION FOR APPROVAL OF CONTROLLED ACTIVITY BY SECRETARY

| CONTROLLED ACTIVITY DETAILS | | | |
|------------------------------------|-----------------------------|-----------------------------|------------|
| REGISTRATION NO | 18/0585a | DATE | 24/07/2018 |
| DESCRIPTION | PROPERTY DEVELOPMENT | | |
| LOCATION | 19A EVANS AVENUE, EASTLAKES | | |
| MGA94 CO-ORD E | 334694 | MGA94 CO-ORD N | 6244700 |
| START DATE | | FINISH DATE | |
| BCR (m) | 15.24 | GROUND HGT (m) (AHD) | 18 |
| OLS (m)(AHD) | 51 | INNER HORIZONTAL | |
| DEV/EQUIPT HGT (m) (AEGH) | 42.64 | | |
| DEV/EQUIPT HGT (m) (AHD)) | 60.64 | | |
| PENETRATION (m) | 9.64 | | |

| APPLICANT DETAILS | | | |
|--------------------------|----------------------------------|------------------|-----------------------------------|
| APPLICANTS REF NO | MP 09_0146 MOD 4 | FILE NO | |
| APPLICANT | NSW PLANNING & ENVIRONMENT | PROPONENT | CROWN GROUP CONSTRUCTIONS PTY LTD |
| CONTACT | Ms Emma Butcher | CONTACT | Ms Suzan Oktay |
| ADDRESS | | ADDRESS | Level 29, 1 Market Street |
| SUBURB | | SUBURB | SYDNEY, NSW |
| POSTCODE | 0 | POSTCODE | 2000 |
| PHONE | 02 8289 6607 | PHONE | 0406 333 064 |
| EMAIL | Emma.Butcher@planning.nsw.gov.au | EMAIL | suzanoktay@crown-group.com |

SCHEDULE 2

REGULATORY BODIES' SUBMISSIONS ON THE PROPOSED ACTIVITY

1. CASA

03/12/2019

Thank you for contacting Airspace Protection.

This message acknowledges receipt of your email which will be responded to as soon as possible.

2. Airservices

I refer to your request for an Airservices assessment of a property development located at 19A Evans Avenue, Eastlakes.

Airspace Procedures

With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, at a maximum height of 74m (243ft) AHD the property development **will affect** the RNAV GNSS RWY 25 instrument procedure at Sydney Airport.

The maximum height of the property development without affecting any procedures at Sydney Airport is 60.6m (199ft) AHD

Note that procedures not designed by Airservices at Sydney Airport were not considered in this assessment

Communications/Navigation/Surveillance (CNS) Facilities

This proposal for a property development will not adversely impact the performance of any Airservices Precision/Non-Precision Nav Aids, Anemometers, HF/VHF/UHF Comms, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.

Summary

This proposed property development at a maximum height of 74m (243ft) will have an impact on the RNAV GNSS RWY 25 instrument procedure at Sydney Airport. Therefore, this property development - a permanent structure, as proposed **cannot** be supported by Airservices.

3. Airlines

VIRGIN - The proposed PROPERTY DEVELOPMENT at 19A EVANS AVENUE, EASTLAKES at a maximum height of 74 m AHD will not affect any of our special engine out procedures.

Virgin Australia Airlines has no objection pursuant to Air Services Australia indicating the proposed development will not adversely affect the existing airspace procedures, the performance of any navigational aids, sector or circling altitudes or any Communication/ Navigation/ Surveillance (CNS) facilities. Where any of these facilities or procedures are impacted, Coffs Harbour Airport shall expect a revised assessment from Virgin Australia for this proposed development.

QANTAS - This proposed development will not impact Qantas departures.

SCHEDULE 3

SYDNEY AIRPORT'S COMMENT OF THE PROPOSED ACTIVITY

If CASA requires obstacle lighting as a condition of approval, Sydney Airport will seek advice from the Proponent on how this requirement will be met. Additional comments may be sent from Sydney Airport at that time; we request the determination be made following the submission of our additional comments.

Sydney Airport does not support the development of any structure that intrudes into the Obstacle Limitation Surfaces as defined by the International Civil Aviation Organization (ICAO). The Obstacle Limitation Surfaces were developed to ensure the safety of aircraft operations in the vicinity of airports, and these surfaces should be protected to maintain the safety of present and future aircraft operations.

Furthermore, Sydney Airport believes that the approval of developments that penetrate the OLS allows for the increase in height of other adjacent potential developments using the shielding principle, which compounds the issues surrounding Airspace Protection.

At a maximum height of 60.64m AHD, the proposed development will penetrate the OLS by approx. 9.64 metres.

If the Department decides to approve the proposed development, we recommend that the following minimum conditions be imposed on that approval, which the Department is entitled to do under r14 (3) of the Regulations.

We believe that these conditions are in the interests of the safety, efficiency and regularity of air transport operations at Sydney Airport:

- At the completion of the construction of the building, a certified surveyor is to notify (in writing) the airfield design manager of the finished height of the building.

Separate approval must be sought under the Airports (Protection of Airspace) Regulations 1996 for any cranes required to construct the buildings. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Airports (Protection of Airspace) Regulations, therefore Sydney Airport advises that approval to operate construction equipment (ie cranes) should be obtained prior to any commitment to construct.